

**MINUTES OF THE  
TRANSPORTATION, ENVIRONMENTAL QUALITY & NATIONAL GUARD  
APPROPRIATIONS SUBCOMMITTEE  
Room W010, West Office Building, State Capitol Complex**

**Wednesday, February 6, 2008**

**MEMBERS PRESENT:** Sen. Carlene Walker, Co-Chair  
Rep. Wayne Harper, Co-Chair  
Sen. Fred Fife  
Rep. Glenn A. Donnelson  
Rep. Neil Hansen  
Rep. Neal B. Hendrickson  
Rep. Todd E. Kiser  
Rep. Becky Lockhart  
Rep. Patrick Painter  
Rep. Kenneth Sumsion

**MEMBERS ABSENT:** Sen. Sheldon Killpack  
Sen. John Valentine

**STAFF PRESENT:** Mark C. Bleazard, Fiscal Analyst  
Rosemary Young, Committee Secretary

**Note:** A list of visitors and copy of handouts are filed with committee minutes.

Rep. Harper called the meeting to order at 2:14 p.m.

**MOTION:** Sen. Walker moved to approve the minutes of the January 30, 2008 meeting. The motion passed unanimously with Rep. Hendrickson and Rep. Painter absent for the vote.

Mark Bleazard, Fiscal Analyst, distributed a chart of all requests for appropriations in no particular order. Sponsors of the various requests coming before this committee presented their requests:

Rep. Bigelow assisted by Tom Pollard, Mayor of Alta, who distributed a handout, explained the request for \$750,000 one-time funds to assist the town to remove antimony from the drinking water supply. The EPA has mandated that the element be removed but has provided no funding. Ken Bousfield, Division of Drinking Water, explained the consequences of not removing the antimony which include health problems and possible court action.

Rep. Bigelow also brought a request for \$3,000,000 for an Environmental Impact Study to address problems at I-215 and 3500 South and traffic flow continuing west on 3500 South. Chuck Chappell, Wasatch Front Regional Council, answered questions from the committee as to where WFRG ranks this problem.

Rep. Ray introduced Madison Baugh, President of Youth of Promise, who explained the group's desire to remember 9/11 with a memorial built at the Utah Botanical Center just east of I-15 in Kaysville. A handout helped explain the memorial, the total cost of which is \$500,000. Only \$180,000 remains to be raised. They are requesting an appropriation of \$100,000. The window of opportunity is closing as the Botanical Center is under construction and must move forward.

Sen VanTassell explained a request for \$2,000,000 from the General Fund for work on Seep Ridge Road between Utah 40 and I-70. The purpose is to get the waxy crude oil from the Uintah Basin to the railroad where it can be shipped to refineries which can handle this kind of crude oil and net a better price per barrel to the suppliers. The richest of School Trust Lands lie in this area, and being able to access these reserves could mean billions of dollars to Utah schools. Another advantage of a new corridor would be to decrease the level of truck traffic through populated areas.

Rep. Sumsion, assisted by Reed Price, Executive Director, Utah Lake Commission, and Darrell Cook, Executive Director, Mountainland Association of Governments, presented a request to the committee for \$3,000,000 from the General Fund for an Environmental Impact Study of a possible road across Utah Lake. The proposal is in recognition of the current and anticipated population growth on the west side of the lake and the lack of routes for east-west mobility. Distributed maps helped to demonstrate the problem and proposed solution. Environmental issues were briefly discussed including the fact that the lake already has cleanliness problems.

Rep. Lockhart acknowledged that the committee has already heard a presentation about the need for radar in Utah Valley and did not discuss it further.

Rep. Harper assisted by Russ Wall, Mayor of Taylorsville, presented the problem of traffic on Taylorsville roads whose intersections are all at failure rate. There are 100,000 cars which travel through the intersection of 6200 South and Redwood Road per day. A possible solution is an interchange at 5400 South and a modified continuous flow intersection at 6200 South. The amount asked for is \$40,000,000 from the General Fund. Director John Njord, UDOT, reported to the committee that a collector/distributor system has not been studied. Additional interchanges would not work here as the interchanges are too close together and ramps would overlap. Another problem is that homes are built right up to I-215.

Rep. Bird and Dave Newton, Mayor of West Jordan, also discussed the problem of east-west traffic flow on the west side of the valley. UDOT has performed a study which identified the interchanges of greatest concern. Bangerter and 6200 and Bangerter and 7800 both rank in the top ten. The possibility of having Bangerter go over 7800 has been discussed. West Jordan has much of the land and industrial base available in the valley and only small collector roads to traverse its 10 miles. The cost would be \$40,000,000 to \$50,000,000 per interchange. An environmental study would be necessary but should not be extensive. Chuck Chappell, WERC,

agrees that these projects are necessary and is adding them to the Regional Transportation Plan.

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John Njord, Director of UDOT, was asked to rank the preceding proposed projects. He acknowledged that they are all to relieve congestion and improve transportation which are UDOT goals. Currently he has over 20 ongoing environmental studies on his desk. He is troubled by the use of Transportation Funds for Environmental Impact Statements. The Director would rank the state aircraft as more important than the radar in Utah County if they must both be funded from the same source.

The Analyst reported on assignments which he had been given by the chairs and pointed out on a spread sheet the allocations to individual entities from the B & C Road Fund from FY 2003 to FY 2007

#### **Department of Transportation - Construction Management**

**MOTION:** Sen. Walker moved to approve \$347,175,200 as the base budget for FY 2009 for Construction Management . The motion passed unanimously with Rep. Sumsion absent for the vote.

**MOTION:** Sen. Walker moved to appropriate \$30,000,000 one time from the General Fund in FY 2009 for advanced right of way acquisition. The motion passed unanimously with Rep. Sumsion absent for the vote.

**MOTION:** Sen. Walker moved to appropriate \$70,000,000 one time from the General Fund in FY 2009 for bridge replacement construction. The motion passed unanimously with Rep. Sumsion absent for the vote.

**MOTION:** Sen. Fife moved to reconsider the previous action and to change the vote to appropriate \$50,000,000 one time and \$20,000,000 on going from the General Fund in FY 2009 for bridge replacement construction. The motion passed unanimously with Rep. Sumsion absent for the vote.

**MOTION:** Sen. Walker moved to approve \$120,000,000 one time and \$40,000,000 on going from the General Fund in FY 2009 for choke point/safety and congestion relief. The motion passed unanimously with Rep. Sumsion absent for the vote.

#### **Maintenance Management**

**MOTION:** Sen. Walker moved to approve the base budget for FY 2009 in the amount of \$130,008,400 for Maintenance Management and the following intent language:

*It is the intent of the Legislature that any and all collections or cash income from the sale or salvage of land and buildings are to be lapsed to the Transportation Fund.*

*There is appropriated to the Department of Transportation from the Transportation Fund, not otherwise appropriated, a sum sufficient, but not more than the surplus of the Transportation Fund, to be used by the Department for the construction, rehabilitation, and preservation of State highways in Utah. It is the intent of the Legislature that the appropriation fund first, a maximum participation with the federal government for the construction of federally designated highways, as provided by law, and last the construction of State highways, as funding permits. It is also the intent of the legislature that the FTEs for field crews may be adjusted to accommodate the increase or decrease in the Federal Construction Program. No portion of the money appropriated by this item shall be used either directly or indirectly to enhance or increase the appropriations otherwise made by this act to the Department of Transportation for other purposes.*

The motion passed unanimously.

**MOTION:** Sen. Walker moved to appropriate \$2,348,400 from the Transportation Fund to add 16 FTE to assist with maintenance on additional lane miles added in recent years. The motion passed unanimously.

**MOTION:** Sen. Walker moved to appropriate \$2,000,000 from the Transportation Fund to help offset inflation. The motion passed unanimously.

## **B & C Roads**

**MOTION:** Sen. Walker moved to approve the base budget of \$126,608,700 for B & C Roads. The motion passed unanimously.

## **Wasatch Front Regional Council/Mountainland Association of Governments**

Darrell Cook, Executive Director, Mountainland Association of Governments, and Chuck Chappell, Executive Director, Wasatch Front Regional Council, presented their request for an appropriation of \$140,000 split equally between the two entities. One of their prime goals is to establish and maintain a set of transportation demand models which are used to analyze and support projects. There are federal funds available at a 93% federal funds, 7% state funds match which are also used to help determine environmental impacts and air quality impacts. These associations develop regional transportation plans with the cooperation of cities, counties, the state and federal government.

**MOTION:** Rep. Kiser moved to approve \$140,000 one time from the General Fund and to transfer this item from this committee's budget to Executive Offices, Governor's Office on Planning and Budget in next year's budget recommendation. The motion passed unanimously.

The Analyst in discussing the Centennial Highway Program pointed out that there will not be a need to bond. In fact there is a surplus, but the bonds can not be paid off early. The legislature could accrue the surplus in a sinking fund which would in effect pay off the bonds. Previous actions of the Legislature earmarked 8.3% of sales tax revenue from transportation related sales to go to CHF. Two projects which are planned but still under litigation are 106th South and 114th South interchanges with I-15.

### **Aeronautics**

Director Njord responded to questions from the committee concerning the Aeronautics Fund. Funds from FAA and the Aeronautics Division are used to maintain airports statewide. Owning versus chartering or leasing or commercial travel were discussed in relation to the use of a state owned airplane. It appears it is more economical to own.

John Hafen, Utah Airport Operators Association, spoke in opposition of Transportation Restricted Fund - Aeronautics monies being used to purchase an airplane used by other state agencies. After quoting statute, he questioned the legality of such a purchase and stated that those funds should be used for the airports. He maintains that those who use the airplane should pay for it and not be subsidized by the Division of Aeronautics.

### **Department of Environmental Quality**

Rick Sprott, Director of Environmental Quality, accompanied by Bill Sinclair, Deputy Director using a handout, explained the request for an increase to \$2,500,000 from the General Fund. They are experiencing a reduction in federal air quality grants, an increased work load necessitating four new positions, and increased costs. There was discussion as to whether the needs could be met by on going or one time money

The Analyst explained that the committee may recommend to Legislative Management Committee that GOPB conduct an in-depth budget review of a state department, agency, institution, or program.

**MOTION:** Rep. Kiser moved to adjourn. The motion passed unanimously with Rep. Hansen and Rep. Hendrickson absent for the vote.

Rep. Harper adjourned the meeting at 4:44 p.m.

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